

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, NOVEMBER 15, 2016, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

MEMBERS PRESENT: Bradley E. Grose, Mayor
Matthew S. Hare, Vice Mayor
Keith N. Liles
Sabrina McCarty
Janet Scheid

STAFF PRESENT: Barry W. Thompson, Town Manager
Susan N. Johnson, Executive Assistant/Town Clerk
Theresa Fontana, Town Attorney
Richard W. Peters, Jr., Assistant Town Manager/Director of Economic Development
Anne Cantrell, Interim Finance Director
Anita McMillan, Planning & Zoning Director
Joey Hiner, Public Works Director
Tom Foster, Police Chief

The Mayor called the regular meeting to order at 6:00 p.m. The Town Clerk called the roll with Council Member Liles, Council Member Scheid, Vice Mayor Hare and Mayor Grose present. Council Member McCarty had not yet arrived at the meeting.

Roll call

The first item on the agenda was a request to go into Closed Session Pursuant to § 2.2-3711 (A) of the 1950 Code of Virginia, as amended, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body as authorized by subsection 3 with regard to the following: (a) an offer by Michael D. Henderson to purchase the fifty (50) foot wide by approximately one hundred and fifty (150) foot long undeveloped right-of-way known as Daleview Drive for purchase price of \$20,000.00 and (b) an offer by Sarah A. & Henry J. Brabham, IV to gift to the Town of Vinton a 0.555 acre of an existing private road and a stormwater best management facility consisting of 2.855 acres, both located between Niagara Road and Vinyard Road in the Town of Vinton.

Council Member Scheid made a motion that Council go into Closed Session; the motion was

seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 4-0-1; Yeas (4) – Liles, Scheid, Hare, Grose; Nays (0) – None; Absent (1) - McCarty. Council went into Closed Meeting at 6:01 p.m.

Council Member McCarty arrived at the meeting at 6:15 p.m.

At 7:20 p.m., the regular meeting reconvened and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Vice Mayor Hare; seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Certification of Closed Meeting

The Mayor welcomed everyone to the meeting. After a Moment of Silence, Council Member McCarty led the Pledge of Allegiance to the U.S. Flag.

Under upcoming community events, Council Member McCarty announced the State of the Town on November 17th at the War Memorial; the Christmas Parade on December 1st along with the Breakfast Lions Club spaghetti dinner. This Friday, November 18th, is the first anniversary of the library opening. She also commented that the grand opening of the Twin Creeks Brewery was a success.

Council Member Liles made a motion to approve the Consent Agenda as presented; the motion was seconded by Council Member McCarty and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Approved minutes of the regular Council meeting of October 18, 2016 and the Council Strategic Planning Retreat of October 24, 2016

The next item on the agenda was a report on the Vinton Volunteer First Aid Crew for October. Chief Guffey reported by the truck hours were 536 out of 492 possible hours for 109%. The unit was in service 100% of the time with ALS at 88% and BLS at 12%. They responded to 82 out of 113 calls and handled 80 for 70%. The fractile response time was 7.33, which is the lowest it has ever been. Total man hours for the month were 1,767. This month for the five-year total they have reached 100,000 hours.

Chief Guffey next commented that he gave a presentation recently at the Vinton Women's Club and they gave a donation to get each of the members a Christmas gift.

The next item on the agenda was a briefing on an application for a grant for a Multi-Jurisdictional Threat Assessment Project and an application for a grant through the Department of Criminal Justice Services titled "21st Century Policing".

With regard to the grant for the Multi-Jurisdictional Threat Assessment, Chief Foster commented that the Town, County of Roanoke and Cities of Roanoke and Salem will partner with this project. The project will allow them to educate community groups, businesses and places of worship on workplace violence. The funding will be \$20,000 and would require a 10% match split between the four agencies. The Town's portion will be \$500.00.

With this grant they will be contracting with Sigma Threat Management Consultants, a group led by Dr. Gene Deisinger, the former Deputy Chief of Police at Virginia Tech and a board certified psychologist. A team will be pulled together that will be trained by Dr. Deisinger on being pro-active in handling threatening situations in order to save lives. They are hoping that this project will be a model for police departments in other localities.

Council Member Scheid asked if there would be an outreach to businesses to help them identify employees that may be of concern. Chief Foster responded that they would be reaching out to the businesses, especially the larger companies throughout the Valley and get them involved. The private sector will have to be a component to make this project effective.

With regard to the grant for a Mobile Community Services Unit, Chief Foster commented that this is also a \$20,000 grant with a 10% match, which is already built into the current budget. This Unit will be used to promote outreach, education and community engagement in the area of prime prevention. In the Town, there is 39.8% of the population living in rental or multi-family housing as opposed to the State average of 12%. The turn-over time for this population is more frequent than those who own their homes and thus studies show there is not as much community engagement. This unit will be used during special events and on

weekends to provide outreach to the community and interaction with the citizens.

The next item on the agenda was to consider a motion to accept or reject an offer by Michael D. Henderson to purchase the fifty (50) foot wide by approximately one hundred and fifty (150) foot long undeveloped right-of-way known as Daleview Drive for purchase price of \$20,000.00. The Town Manager commented that on October 27, 2016, his office received the offer by Mr. Henderson to purchase said property.

Vice Mayor Hare made a motion to reject the offer; the motion was seconded by Council Member Scheid. Vice Mayor Hare commented that his position from the last Council meeting has not changed as to the status of this undeveloped right-of-way.

The motion was carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The next item on the agenda was to consider a motion to accept or reject an offer by Sarah A. & Henry J. Brabham, IV to gift to the Town of Vinton a 0.555 acre of an existing private road and a stormwater best management facility consisting of 2.855 acres, both located between Niagara Road and Vinyard Road in the Town of Vinton.

Council Member McCarty read a Statement of Conflict of Interest for the record, which statement is attached to these minutes and made a part hereof.

Vice Mayor Hare commented that this item was discussed earlier in Closed Session and requested a motion to table the item to allow Council more time to review the matter.

Chris McCarty of 1012 Blakemore Circle commented that he and Mr. Brabham have incurred the expense of bringing the stormwater facility up to standards. He understood from Roanoke County that the last inspection would be good for five years. They have spent \$25,000, but are not the only businesses that use the facility. If the Town would take over the pond and do maintenance twice a year, then in five years it should not require any additional work. They do not feel that they would be able to get the

Rejected an offer by Michael D. Henderson to purchase the fifty (50) foot wide by approximately one hundred and fifty (150) foot long undeveloped right-of-way known as Daleview Drive for purchase price of \$20,000.00

surrounding businesses to contribute any funds for the upkeep. Mr. McCarty also commented on the benefits of the existing private road.

Council Member Scheid commented that she agreed that Council needs more time to review the matter and figure out what the benefits would be for the Town. There are many other stormwater management facilities in the Town and there is some concern that if we take one, we are going to be asked to take others. We do not have the funds to do that unless we institute some sort of a stormwater fee.

Council Member Scheid made a motion to table the matter to a future meeting; the motion was seconded by Vice Mayor Hare and carried by the following roll call vote, with all members voting: Vote 4-0-1; Yeas (4) – Liles, Scheid, Hare, Grose; Nays (0) – None; Abstain (1) - McCarty.

The next item on the agenda was to consider adoption of an Ordinance approving the joint petition of Robert O. and Linda M. Quam, owners of Lot 1, Block 12; and Sherman E. and Barbara B. Sligh; owners of Lot 7, Block 9, of Plat Book 6, Page 30 showing Map of Section Number 4, Bali Hai Subdivision, property of W.E. and Olney G. Cundiff, prepared by C. B. Malcolm & Son and dated August 31, 1964, recorded in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, on January 5, 1965, to abandon, vacate and deed a fifty (50) foot wide by approximately one hundred and fifty (150) foot long undeveloped right-of-way, known as Daleview Drive, to the adjoining property owners.

Anita McMillan commented that a joint Public Hearing of the Planning Commission and Council was held on October 18, 2016 on this matter. The Planning Commission voted unanimously to recommend that the joint petition be approved. Council tabled the request in order to have time to establish the fair market value for the property. The legal counsel for the Petitioners agreed to hire an appraiser to determine the value. On October 28th the appraisal was submitted and based on said appraisal, the Quams and the Slighs have agreed to pay \$3,000 each to the Town for their share of the property.

Council Member Scheid made a motion to adopt the Ordinance as presented.

Offer by Sarah A. & Henry J. Brabham, IV to gift to the Town of Vinton a 0.555 acre of an existing private road and a stormwater best management facility consisting of 2.855 acres, both located between Niagara Road and Vinyard Road in the Town of Vinton was tabled to a future meeting

Michael Henderson of 1832 Blenheim Road, SW, Roanoke, commented that he felt it was unfair when there are three adjoining property owners to the right-of-way to close it and give it to two out of the three parties. He felt that the right-of-way should be subdivided into three tracts and the cost be split three ways.

The Mayor commented that he was concerned about the negative impact it would have on the community to have a right-of-way going down through the middle of that property. He felt that anything built there would have to match the current standards of the community, which would mean developing an entire street with curb and gutter.

Mr. Henderson further commented that it would greatly inconvenience him and discriminates against him.

Council Member Scheid restated her original motion to adopt the Ordinance as presented. She commented on the reasons that she made the motion. This is a paper street and has been for a long time and the Town has never had any intention to build a road on this paper street. The Town does not want to have a public road there that will have to be maintained. The Quams and Slighs have had their driveways there for a long time and to change that situation would be unfair to them. In her opinion there is no prejudice to Mr. Henderson since it has been stated that he has perfectly adequate access directly from Olney Road.

The motion was seconded by Council Member Liles and he commented there is access and Mr. Henderson knew that when he purchased the property. The motion was carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The next item on the agenda was to consider adoption of an Ordinance amending Chapter 74, "Secondhand Goods" of the Vinton Town Code by adopting Article III, "Precious Metals Dealers," for the purpose of regulating precious metals dealers conducting business within the Town of Vinton and providing for an effective date.

Adopted Ordinance No. 981 approving the joint petition of Robert O. and Linda M. Quam, owners of Lot 1, Block 12; and Sherman E. and Barbara B. Sligh; owners of Lot 7, Block 9, of Plat Book 6, Page 30 showing Map of Section Number 4, Bali Hai Subdivision, property of W.E. and Olney G. Cundiff, prepared by C. B. Malcolm & Son and dated August 31, 1964, recorded in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, on January 5, 1965, to abandon, vacate and deed a fifty (50) foot wide by approximately one hundred and fifty (150) foot long undeveloped right-of-way, known as Daleview Drive, to the adjoining property owners

Chief Foster commented that Council was briefed on this Ordinance at their last meeting. Based on the recommendation of Vice Mayor Hare, he reached out to Mr. Mullins with Vinton Pawn and discussed the proposed Ordinance. The new Pawn Shop that is opening on Pollard Street was already aware of the Ordinance.

He provided Mr. Mullins with a copy of the proposed Ordinance and reviewed with him the key components. If the Ordinance is approved by Council, he will meet with him again and work out the details on the reporting. Mr. Mullins indicated that he was aware of the requirement for the permit in other jurisdictions. Chief Foster invited him to attend the meeting.

Vice Mayor Hare made a motion to adopt the Ordinance as presented; the motion was seconded by Council Member McCarty and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The next item on the agenda was to consider adoption of a Resolution appropriating \$13,125.00 received from the Department of Motor Vehicles, \$8,750.00 in Federal funds and the Town's required in-kind match of \$4,375.00 for Overtime Selective Enforcement. Chief Foster commented that these funds had been received in the past, but they not been requested for a couple of years. He requested an in-cycle grant because of being beyond the deadline and they awarded the grant. The funds will be used to fund overtime enforcement projects here as well as in Roanoke County and Roanoke City. Traditionally, they are used to pay officers for off-duty hours on specific holidays for projects related to Click-it-or-Ticket, Safe and Sober and the Red Ribbon Campaign. If Council approves these funds, they will be able to make some commitments to engage in these projects. The in-kind match will be paid by the Department out of their fuel, maintenance and repair budget. At the recommendation of Vice Mayor Hare, he checked to see if funds used for the department's vehicle leasing program could also be used for the match and they can be as well. Also, a portion of these funds will also be used for some DUI enforcement training.

Council Member McCarty made a motion to adopt the Resolution as presented; the motion was

Adopted Ordinance No. 982 amending Chapter 74, "Secondhand Goods" of the Vinton Town Code by adopting Article III, "Precious Metals Dealers," for the purpose of regulating precious metals dealers conducting business within the Town of Vinton and providing for an effective date

Adopted Resolution No. 2173 appropriating \$13,125.00 received from the Department of Motor

seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The next item on the agenda was to consider adoption of a Resolution appropriating \$162,235.83 received from the Department of Motor Vehicles, \$129,786.66 in Federal funds and the Town's required \$32,447.17 in-kind match, for the participation in the DUI Task Force Grant. Chief Foster commented that this Task Force is new for the Roanoke Valley and is a multi-jurisdictional partnership.

When this DUI Task Force was first brought up over a year ago, the staffing levels in the department were not where they felt they could participate. Fortunately, they are now fully staffed.

The in-kind match can be paid out of the budget for the repair and maintenance of their vehicles, gas oil and the leasing expenses for the police vehicles.

DMV has indicated they will fund the position for at least five years and the grant will pay 100% of the cost of the officer to include the vehicle, uniforms, salary, fringe benefits and other associated costs. The \$162,235.83 is for the first year with the biggest expenditure being the purchase of a vehicle. The specifications have been drawn up and all the jurisdictions will have similar vehicles. Should the grant expire, the jurisdictions will keep the vehicles.

He has sent out the information to his entire department to see what interest there is. Once this position has been filled by an internal candidate, they will be able to hire for that vacant position.

Council Member Scheid asked if this would be a full-time position for the officer. Chief Foster responded it would be and they would work under the supervision of Roanoke County and Roanoke City. Since they are the larger jurisdictions, they will each assign an officer to the Task Force, but will also have a supervisor to be involved in the day to day scheduling and operation.

Vice Mayor Hare commented that one item the Chief will be discussing with the other jurisdictions are the differences in policies and procedures and how they can all mesh together for the members of the Task Force.

Vehicles, \$8,750.00 in Federal funds and the Town's required in-kind match of \$4,375.00 for Overtime Selective Enforcement

Council Member Scheid next asked if the intent was to assign an officer to the Task Force for the entire five-year period of time or to do a rotation. Chief Foster responded that he would like a common agreement among the Chiefs on this matter. He would think that the initial assignment would be for at least two years, but then he would like to see it rotate every two years.

Chief Foster commented that his Department was the first to get their grant completed and submitted and he recognized April Alterio for her assistance with the application.

Vice Mayor Hare asked if the officer assigned to this Task Force would be available if needed to help with special events. Chief Foster responded that they would. Vice Mayor Hare asked what would happen if the department was found in a resource crunch, could we pull from this Task Force. Chief Foster commented that originally this was going to be one grant applied for by Roanoke County and disbursed to the individual departments, but all the jurisdictions have filed for the grants individually. This gives more flexibility. In the past with any grant that he has worked with, if a situation comes up that the department could no longer meet the requirements of the grant or a manpower situation does not allow them to continue to participate because of not being able to meet the basic services that are a priority in the community, the unused funds could be returned. He would assume that this grant would be the same.

Vice Mayor Hare asked about the grant being on a reimbursement basis. Anne Cantrell commented that this Resolution would create the budget and either on a quarterly or monthly basis, they can ask for reimbursement. In response to a question by Council Member Scheid, Chief Foster commented that this officer will be in a Town of Vinton uniform and the vehicle will be marked with Vinton police markings.

Vice Mayor Hare made a motion to adopt the Resolution as presented; the motion was seconded by Council Member Scheid and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

Adopted Resolution No. 2174 appropriating \$162,235.83 received from the Department of Motor Vehicles, \$129,786.66 in Federal funds and the Town's required \$32,447.17 in-kind match, for the participation in the DUI Task Force Grant

The next item on the agenda was to consider adoption of a Resolution appropriating funds from the General Revenue Fund to the General Expense Fund for the expenditures related to the construction of Glade Creek Greenway Phase 2, a 3,060 linear feet of a ten-foot (10') wide, paved, off-road, ADA-accessible, bicycle/pedestrian trail. Anita McMillan commented that the Resolution is to appropriate \$526,210 in the General Fund for the construction of this Phase 2 of the Greenway. She then commented on the breakdown of the 20% required local match.

Council Member Liles made a motion to adopt the Resolution as presented; the motion was seconded by Council Member McCarty and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None.

The Town Manager expressed appreciation to staff for all of their hard work on securing grant funds for projects that will help to enhance the Town.

The Mayor commented on the Veteran's Appreciation Lunch for Town employees Veterans on November 10th. He also commented on the State of the County address, the Regional Partnership annual meeting and the Veteran's Celebration at the Herman L. Horn Elementary School.

Vice Mayor Hare made a motion to adjourn the meeting; the motion was seconded by Council Member Scheid and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Liles, McCarty, Scheid, Hare, Grose; Nays (0) – None. The meeting was adjourned at 8:40 p.m.

Adopted Resolution No. 2175 appropriating funds from the General Revenue Fund to the General Expense Fund for the expenditures related to the construction of Glade Creek Greenway Phase 2, a 3,060 linear feet of a ten-foot (10') wide, paved, off-road, ADA-accessible, bicycle/pedestrian trail

Meeting adjourned

APPROVED:



Bradley E. Grose, Mayor

ATTEST:

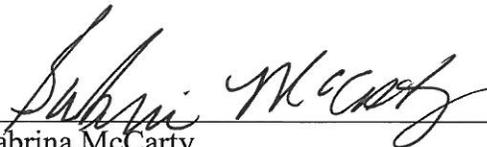


Susan N. Johnson, Town Clerk

STATEMENT OF CONFLICT OF INTEREST

I, Sabrina McCarty, state that I have a personal interest in Agenda Item M. (2) regarding the consideration of a motion to accept or reject an offer by Sarah A. & Henry J. Brabham, IV to gift to the Town of Vinton a 0.555 acre of an existing private road and a stormwater best management facility consisting of 2.855 acres, both located between Niagara Road and Vinyard Road in the Town of Vinton because of a personal and business relationship of my husband, Chris McCarty, with Henry J. Brabham, IV. Therefore, pursuant to Virginia Code Section 2.2-3112, I must refrain from participation in this matter. I ask that the Town Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 15th day of November, 2016.

 (Seal)

Sabrina McCarty

AT A CLOSED MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, NOVEMBER 15, 2016 AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

**CERTIFICATION THAT A CLOSED MEETING WAS HELD
IN CONFORMITY WITH THE CODE OF VIRGINIA**

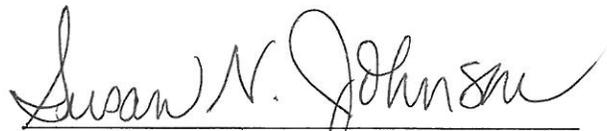
WHEREAS, the Town Council of the Town of Vinton, Virginia has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Vinton Town Council that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council hereby certifies that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from opening meeting requirements by Virginia law were discussed in the closed meeting to which this certification applies; and
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Motion made by Vice Mayor Hare and seconded by Council Member Scheid with all in favor.


Clerk of Council